

## **MINUTES**

### **MONTANA HOUSE OF REPRESENTATIVES 60th LEGISLATURE - REGULAR SESSION**

#### **COMMITTEE ON STATE ADMINISTRATION**

**Call to Order:** By, Chairman Dennis Himmelberger, on February 19, 2007 at 8:00 A.M., in Room 455 Capitol.

#### **ROLL CALL**

**Members Present:**

Rep. Dennis Himmelberger, Chairman (R)  
Rep. Duane Ankney, Vice Chairman (R)  
Rep. Hal Jacobson, Vice Chairman (D)  
Rep. Debby Barrett (R)  
Rep. Gary Branae (D)  
Rep. Sue Dickenson (D)  
Rep. Gordon R. Hendrick (R)  
Rep. Teresa K. Henry (D)  
Rep. Pat Ingraham (R)  
Rep. William J. Jones (R)  
Rep. Bruce Malcolm (R)  
Rep. Walter McNutt (R)  
Rep. Alan Olson (R)  
Rep. Mike Phillips (D)  
Rep. Veronica Small-Eastman (D)  
Rep. Franke Wilmer (D)

**Members Excused:** Rep. Mary Caferro  
Rep. Scott Sales

**Members Absent:** None

**Staff Present:** Dee Barfknecht, Committee Secretary  
Sheri Heffelfinger, Legislative Branch

**Audio Committees:** These minutes are in outline form only. They provide a list of participants and a record of official action taken by the committee. The link to the audio recording of the meeting is available on the Legislative Branch website.

**Committee Business Summary:**

Hearing:	HB 294, HB 670, HB 686, HB 692
Executive Action:	HB 266, HB 308, HB 604, HB 619
	HB 632, HB 640, HB 650, SB 15

**HEARING ON HB 692**

**Opening Statement by Sponsor:**

00:02:48 Rep. Debby Barrett (R), HD 72, opened the hearing on HB 692, Restrictions on executive branch agency bill requests.

**Proponents' Testimony:** None

**Opponents' Testimony:** None

**Informational Testimony:** None

**Questions from Committee Members and Responses:**

00:08:02 Rep. Phillips  
00:08:39 Rep. Barrett  
00:09:04 Rep. Phillips  
00:09:19 Rep. Barrett  
00:09:35 Rep. Olson  
00:09:48 Rep. Barrett  
00:09:54 Rep. Olson  
00:10:20 Rep. Barrett  
00:10:54 Rep. Dickenson  
00:11:13 Rep. Barrett  
00:11:54 Rep. Dickenson  
00:12:11 Rep. Barrett

**Closing by Sponsor:**

00:12:24 Rep. Barrett

**HEARING ON HB 294**

**Opening Statement by Sponsor:**

00:13:52 Rep. Sue Dickenson (D), HD 25, opened the hearing on HB 294, Soldier appreciation scholarships.

[EXHIBIT\(sth37a01\)](#)

[EXHIBIT\(sth37a02\)](#)

**Proponents' Testimony:**

00:22:41 Roger Hagen, Officer and Enlisted Association, Montana National Guard

00:24:04 Colonel Jim Jacobsen, U.S. Army Retired, Legislative  
Chairman, American Legion  
00:25:04 Corey Swanson, Company Commander Montana National  
Guard  
00:31:01 Scott Martin, Student Representative of MSU Billings,  
MSU Great Falls, MSU Havre

**Opponents' Testimony:** None

**Informational Testimony:** None

**Questions from Committee Members and Responses:**

00:31:46 Rep. Ingraham  
00:32:19 Rep. Dickenson  
00:33:30 Rep. Ingraham  
00:33:36 Rep. Dickenson  
00:33:44 Rep. Ingraham  
00:33:50 Rep. Dickenson  
00:35:47 Rep. Ingraham  
00:35:58 Rep. Dickenson  
00:37:54 Rep. Ankney  
00:38:07 Rep. Dickenson  
00:38:35 Rep. Ankney  
00:38:45 Rep. Dickenson  
00:39:21 Rep. Ankney  
00:39:41 Rep. Dickenson  
00:39:47 Rep. Phillips  
00:40:12 Rep. Dickenson  
00:40:58 Rep. Phillips  
00:41:28 Rep. Dickenson  
00:42:55 Rep. Phillips  
00:43:13 Mr. Swanson  
00:44:59 Rep. Barrett  
00:45:08 Rep. Dickenson

**Closing by Sponsor:**

00:45:14 Rep. Dickenson

**HEARING ON HB 686**

**Opening Statement by Sponsor:**

00:50:17 Rep. Alan Olson (R), HD 45, opened the hearing on HB  
686, Constitutional amendment to require election be by  
majority vote.

**Proponents' Testimony:** None

**Opponents' Testimony:**

00:52:34 Bob Vogel, Montana School Boards Association

00:53:22 Jessica Rhoades, Montana Democratic Party

**Informational Testimony:** None

**Questions from Committee Members and Responses:**

00:55:49 Rep. Wilmer

00:56:27 Rep. Olson

00:56:57 Rep. Ankney

00:57:55 Rep. Olson

**Closing by Sponsor:**

00:58:00 Rep. Olson

---

**HEARING ON HB 670**

**Opening Statement by Sponsor:**

00:59:54 Rep. Dennis Himmelberger (R), HD 47, opened the hearing on HB 670, Retirement systems reports on actuarial costs and other items.

[\*\*EXHIBIT\*\*](#)(sth37a03)

**Proponents' Testimony:** None

**Opponents' Testimony:** None

**Informational Testimony:**

01:03:32 Roxanne Minnehan, Executive Director, Montana Public Employee Administration

01:06:39 David Senn, Executive Director, Teachers Retirement System

01:09:05 Jim Gillett, Legislative Auditors Office

**Questions from Committee Members and Responses:**

01:09:19 Rep. Barrett

01:09:30 Mr. Senn

01:10:26 Rep. Jones

01:10:53 Rep. Himmelberger  
 01:12:04 Rep. Jones  
 01:12:09 Rep. Himmelberger  
 01:12:19 Ms. Minnehan  
 01:13:19 Rep. Phillips  
 01:13:26 Ms. Minnehan  
 01:14:07 Rep. Phillips  
 01:14:44 Rep. Himmelberger  
 01:15:14 Rep. Jones  
 01:16:04 Rep. Himmelberger  
 01:17:01 Rep. Jones  
 01:17:05 Rep. Himmelberger  
 01:17:28 Rep. Wilmer  
 01:17:56 Mr. Senn  
 01:19:00 Rep. Dickenson  
 01:19:27 Mr. Senn  
 01:20:17 Rep. Jones  
 01:21:21 Rep. Himmelberger

**Closing by Sponsor:**

01:21:45 Rep. Himmelberger  
 01:23:21 Break  
 01:45:42 Reconvene

---

**EXECUTIVE ACTION ON SB 15**

01:46:40 **Motion:** Rep. Olson moved that **SB 15 BE CONCURRED IN.**

**Discussion:**

01:46:59 Rep. Malcolm  
 01:48:05 Rep. Jones  
 01:48:29 Rep. Branae  
 01:49:11 Rep. Wilmer  
 01:50:11 Rep. Henry  
 01:51:07 Rep. Phillips  
 01:51:31 Rep. McNutt  
 01:53:10 Rep. Ankney

01:54:39 **Vote:** Motion that **SB 15 BE CONCURRED IN** carried by roll call vote, 13-5. Reps. Barrett, Caferro, Dickenson, McNutt and Phillips voted no. Reps. Sales and Caferro voted by proxy.

---

**EXECUTIVE ACTION ON HB 266**

01:56:18 **Motion:** Rep. Ankney moved that **HB 266 DO PASS.**

**Discussion:**

01:56:44 Rep. Phillips  
01:57:23 Rep. Branae  
01:57:36 Rep. Ankney  
01:57:47 Rep. Ingraham  
01:58:46 Rep. Wilmer  
01:59:35 Rep. Jacobson

02:00:16 **Vote:** Motion that **HB 266 DO PASS** failed by tie vote, roll call vote, 9-9. Reps. Himmelberger, Ankney, Barrett, Hendrick, Ingraham, Malcolm, McNutt, Olson, and Sales voted aye. Reps. Sales, Caferro, Barrett, Malcolm and Olson voted by proxy.

02:01:42 **Motion/Vote:** Rep. Ankney made a motion that **HB 266 BE TABLED.** Motion carried unanimously by voice vote, 18-0. Reps. Sales, Caferro, Barrett, Olson and Malcolm voted by proxy.

---

**EXECUTIVE ACTION ON HB 308**

02:03:05 **Motion/Vote:** Rep. Ankney made a motion that **HB 308 BE TABLED.** The motion carried by roll call vote, 10-8. Reps. Jacobson, Caferro, Branae, Dickenson, Henry, Phillips, Small-Eastman and Wilmer voted no. Reps. Sales, Caferro, Barrett, Olson and Malcolm voted by proxy.

---

**EXECUTIVE ACTION ON HB 640**

02:06:03 **Motion:** Rep. Jacobson moved that **HB 640 DO PASS.**

**Discussion:**

02:06:18 Rep. Ingraham  
02:06:47 Rep. McNutt  
02:07:35 Rep. Jacobson

02:10:23 **Vote:** Motion that **HB 640 DO PASS** carried by voice vote, 17-1. Rep. Jones voted no. Reps. Sales, Caferro, Barrett, Olson and Malcolm voted by proxy.

---

**EXECUTIVE ACTION ON HB 619**

02:11:46 **Motion:** Rep. Ankney moved that **HB 619 DO PASS.**

**Discussion:**

02:12:09 Rep. Wilmer  
02:13:11 Rep. Dickenson  
02:13:31 Sheri Heffelfinger  
02:14:18 Rep. Phillips  
02:14:39 Chairman Himmelberger  
02:15:09 Rep. Henry  
02:17:39 Chairman Himmelberger  
02:17:46 Ms. Heffelfinger  
02:18:48 Rep. Phillips

02:19:26 **Vote:** Motion that **HB 619 DO PASS** carried by roll call vote, 10-8. Reps. Jacobson, Caferro, Branae, Dickenson, Henry, Phillips, Small-Eastman and Wilmer voted no. Reps. Sales, Caferro, Barrett, Jacobson, Olson and Malcolm voted by proxy.

---

**EXECUTIVE ACTION ON HB 632**

02:21:25 **Motion:** Rep. Small-Eastman moved that **HB 632 DO PASS.**

02:21:44 **Motion:** Rep. Small-Eastman moved that **HB 632 BE AMENDED.**

**EXHIBIT**(sth37a04)

**Discussion:**

02:22:31 Ms. Heffelfinger  
02:25:19 Rep. Small-Eastman

02:26:39 **Vote:** Motion that **HB 632 BE AMENDED** carried unanimously by voice vote, 18-0. Reps. Sales, Caferro, Olson, Barrett and Malcolm voted by proxy.

02:27:34 **Motion:** Rep. Small-Eastman moved that **HB 632 DO PASS AS AMENDED.**

**Discussion:**

02:27:52 Rep. Ingraham  
02:30:44 Rep. Phillips  
02:31:58 Rep. Dickenson

02:33:41 Rep. Small-Eastman

02:34:19 Rep. Ankney

02:35:13 **Vote:** Motion that **HB 632 DO PASS AS AMENDED** failed by roll call vote, 8-10. Reps. Jacobson, Caferro, Branae, Dickenson, Henry, Phillips, Small-Eastman and Wilmer voted aye. Reps. Sales, Caferro, Barrett and Olson voted by proxy.

**Discussion:**

02:35:48 Rep. Small-Eastman

02:36:16 Chairman Himmelberger

02:37:01 **Motion/Vote:** Rep. Ankney made a motion that **HB 632 BE TABLED**. Motion carried by roll call vote, 10-8. Reps. Jacobson, Caferro, Branae, Dickenson, Henry, Phillips, Small-Eastman and Wilmer voted no. Reps. Sales, Caferro, Barrett and Olson voted by proxy.

---

**EXECUTIVE ACTION ON HB 650**

02:38:44 **Motion:** Rep. Ingraham moved that **HB 650 DO PASS**.

**Discussion:**

02:39:19 Rep. Henry

02:39:53 Rep. Wilmer

02:41:13 Rep. Hendrick

02:41:57 Chairman Himmelberger

02:42:04 Rep. Branae

02:42:20 **Motion:** Rep. Ingraham moved that **HB 650 BE AMENDED**. [\*\*EXHIBIT\*\*](#)(sth37a05)

**Discussion:**

02:43:07 Rep. Ingraham

02:43:11 Ms. Heffelfinger

02:43:26 **Vote:** Motion that **HB 650 BE AMENDED** carried by voice vote, 17-1. Rep. Phillips voted no. Reps. Sales, Caferro, Olson and Barrett voted by proxy.

02:44:07 **Motion:** Rep. Ingraham moved that **HB 650 DO PASS AS AMENDED**.



02:44:24 **Substitute Motion/Vote:** Rep. Dickenson made a substitute motion that **HB 650 BE TABLED**. Substitute motion carried by roll call voice vote, 11-7. Reps. Himmelberger, Barrett, Ankney, Hendrick, Ingraham, Jones and Malcolm voted no. Reps. Barrett, Caferro, Sales and Olson voted by proxy.

---

**EXECUTIVE ACTION ON HB 604**

02:46:19 **Motion:** Rep. Small-Eastman moved that **HB 604 DO PASS**.

**Discussion:**

02:46:32 Rep. Ingraham  
02:48:59 Rep. Jones  
02:49:55 Rep. Barrett  
02:51:05 Rep. Jacobson  
02:51:40 Chairman Himmelberger  
02:52:54 Rep. Dickenson

02:53:48 **Vote:** Motion that **HB 604 DO PASS** failed by roll call vote, 8-10. Reps. Jacobson, Branae, Caferro, Dickenson, Henry, Phillips, Small-Eastman and Wilmer voted aye. Reps. Olson, Sales and Caferro voted by proxy.

02:55:08 **Motion/Vote:** Rep. Ankney made a motion that **HB 604 BE TABLED**. Motion carried unanimously by voice vote, 18-0. Rep. Sales, Olson and Caferro voted by proxy.

**ADJOURNMENT**

02:55:58 Adjournment

---

REP. DENNIS HIMMELBERGER, Chairman

---

DEE BARFKNECHT, Secretary

DH/db

Additional Exhibits:

**EXHIBIT ([sth37aad.pdf](#))**